REMARKS

This responds to the *Office Action* dated October 30, 2009 and the *Advisory Action* dated January 28, 2010. Although Applicants believe the previously pending claims defined over the cited art, Applications have nonetheless amended claims 27, 35, 38, and 46 for clarity and to advance prosecution. No claims are canceled. No claims are added. Consequently, claims 27-29, 31-35, 38-40, 42-46, 49-70 remain pending in this application.

Paragraphs [0061] and [0062] support the amendments to the above claims.

§ *103 Rejection of the Claims*

Claims 27-29, 31-34, 49-65 and 69-70 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carlin et al. (U.S. Patent No. 6,119,152; "*Carlin*"), "*Domain Names - Concepts and Facilities*" (RFC 1034; "*Domain Names*"), and Fisher et al. (U.S. Patent No. 5,835,896; "*Fisher*").

I. Claims 27, 28, 31-34, 49-70

Although the Applicant believes that the original pending claims define over the art of record, the Applicant has clarified claim 27 by amending the claim to further recite, in part, "the sales server is operative to create the impression that a user is still using a first member site through which they accessed a first sales interface by mapping the first sales interface to a first domain, ... the first domain being a sub-domain of an address mapped to the first member site." Claim 27 is patentable for at least the following reasons.

Claim 27 recites, in part, "the sales server is operative to create the impression to a first that the first user is ***still using a first member site through which they accessed a first sales interface***." In comparison, *Carlin* fails to suggest this feature of claim 27. At most, *Carlin* gives the impression that a user is transferred to a sub-service site when, in fact, the user is still using the host site. To illustrate, *Carlin* describes that as an initial step "the subscriber establishes a communications link with the host." Col. 7, lines 55-57. Once connected with the host, "menu

data [related to a service selected by the subscriber] is downloaded to the session data of the subscriber terminal." Col. 8, line 1. In this way, "from the subscriber's standpoint, it appears that [the subscriber] is connected to a[n] on-line service which is administered by the service provider." Col. 8, lines. 54-56. Thus, *Carlin* creates the impression that the subscriber first connects to the host and then ***switches*** connection to the service provider. Therefore, *Carlin* fails to disclose "creat[ing] the impression that a user is still using a first member site through which they accessed a first sales interface," as recited by claim 27.

Further, claim 27 now recites "the first domain being a sub-domain of an address mapped to the first member site, the second domain being a sub-domain of an address mapped to the second member site." Claim 27 recites a similar feature for the second domain. None of the cited references disclose these features of claim 27. At most, the Examiner suggests combining *Domain Names* with *Carlin* to create a user appearance of being "connected to an online service that is administered by that service provider." *Office Action* at 3. As such, the Examiner suggests mapping a first provider to the "provider1.multi-provider.com" sub-domain and other similar sub-domains for the other services. *Office Action* at 3. Contrary to claim 27, the domain names of the *Office Action* map to a sub-domain of the host rather than a sub-domain of a subservice site. Thus, the Office Action fails to show this feature of claim 27.

Further, *Domain Names* discloses that "the hierarchy [of domain names] roughly correspond[] to ***organizational*** structure." *Domain Names* at 2. Thus, in light of the actual teaching of *Domain Names*, it would be improper to map the sub-services to a domain other than to a sub-domain of the host domain. That is, "provider1.multi-provider.com" corresponds to the organizational structure described by of *Carlin*.

Therefore, the combination of *Carlin* and *Domain Names* fail to disclose "the first domain being a sub-domain of an address mapped to the first member site, the second domain being a sub-domain of an address mapped to the second member site," as recited by claim 27.

Since Applicants have shown that not all the claimed elements were known as required by *KSR*, by *Carlin* and *Domain Names*, singly or in combination, the Applicants respectfully request the Examiner to withdraw the rejection under 35 U.S.C. §103 with regard to independent claim 27. Further, the corresponding dependent claims too are allowable for at least the same reasons. Furthermore, these dependent claims each may contain additional patentable subject matter.

II. Claims 35, 38-40, 42-45

Claims 35, 38-40 and 42-46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Carlin*, *Domain Names*, Lowery et al. (U.S. Patent No. 5,894,554, hereinafter "Lowery"), and Fisher.

Claim 35 has been amended to recite, in part, "store listings of items for sale submitted by the first sales interfaces, wherein the listings are offered on the first sales interface and the second sales interface." In contrast, *Carlin* teaches away from this feature of claims 35. In particular, *Carlin* teaches that "while both services offer some of the same features … the data related to these services is ***kept separate*** so that subscribers of one service ***cannot*** access data from another service." Col. 5, lines 10-14 (emphasis added). Thus, *Carlin* cannot disclose "listings of items for sale submitted by the first sales interfaces, wherein the listings are offered on the first sales interface and the second sales interface," as recited by claim 35.

With respect to *Fischer*, the addition of *Fischer* does not cure the above deficiencies of *Carlin*. *Fischer* fails to even suggest a first and second interface, much less a first and second interface with the features recited by claim 35. Thus, *Fischer* fails disclose "stor[ing] listings of items for sale submitted by the first sales interfaces, wherein the listings are offered on the first sales interface and the second sales interface."

Since Applicants have shown that not all the claimed elements were known as required by *KSR*, by *Carlin* and *Domain Names*, singly or in combination, the Applicants respectfully request the Examiner to withdraw the rejection under 35 U.S.C. §103 with regard to independent

claims 35 and 38, which contains similar features. Further, the corresponding dependent claims too are allowable for at least the same reasons. Furthermore, these dependent claims each may contain additional patentable subject matter.

III. Combinability Argument – *Carlin* and *Domain Names*

MPEP § 2143.01(V) states "[i]f proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is **no suggestion or motivation** to make the proposed modification. In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)" (emphasis added).

Applicants respectfully submit that the combination of multi-provider service discussed in *Carlin* with the "subdomains" of *Domain Names* is improper. As stated by the *Office Action*, "it should be appear to the subscriber that he or she is connected to an online service that is administered by that service provider." *Office Action* at 3 (citing to *Carlin*, col. 8, lines 54-56). Creating the appearance that the subscriber is connected to an online service that is administered by that service provider is important to *Carlin* and the removal thereof would frustrate the purpose of the system discussed therein.

In this case, the *Office Action* states, "a plurality of service providers could be mapped to provider1.multi-provider.com, provider2.multi-provider.com, and so on." *Office Action* at 3. Allegedly, "such a combination would have been advantageous because it would allow the multi-provider online sales system to maintain the impression that each sales interface is operated by its respective service provider and not by a single common entity." *Office Action* at 4. *Domain Names'* lone discloser regarding domain name merely states that "the hierarchy roughly corresponding to ***organizational*** structure." *Domain Names* at 2 (emphasis added). Thus, the domain names "provider1.multi-provider.com" and "provider2.multi-provider.com" roughly correspond to an organizational structure wherein provider1 and provider2 are within the multi-provider organization. Thus, contrary to the *Office Action*'s assertion, the domain names

"provider1.multi-provider.com" and "provider2.multi-provider.com" actually suggest two services operated by a single common entity (i.e., the multi-provider).

As such, Applicant respectfully submits that a person of ordinary skill in the art would not have a reason to combine these features because the combination thereof would frustrate the principle operation of *Carlin*. Therefore, Applicant respectfully requests that the rejection be withdrawn with regard to claims 27-29, 31-35, 38-40, 42-46, 49-70.

IV. Combinability Argument – *Carlin* and *Fischer*

As discussed above, MPEP § 2143.01(V) states "[i]f proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is **no suggestion or motivation** to make the proposed modification. In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)" (emphasis added).

Claim 35 recites, in part:

a central database system adapted to:

store listings of items for sale submitted by the first sales interfaces, wherein the listings are offered on the first sales interface and the second sales interface;

receive bids for items from the plurality of sales interfaces; and

store the bids in a item bidding history.

Independent claims 27, 38, and 46 similarly contain a central database.

To reject the above claim limitations, the *Office Action* alleges that "it would have been obvious to one of ordinary skill in the art, having the teachings of *Carlin*, *Domain Names*, and *Fischer* before him at the time of the invention to include the auction server of *Fischer*." However, in order that "each subscriber sees the on-line service to which he or she subscribes as an independent service provided by the service provider" *Carlin* states that "the ***data*** related to these services is kept ***separate*** so that subscribers of one service ***cannot*** access data from another service." *Carlin*, col. 5, lines12-16 (emphasis added). Yet, combining the "auction server" of

Fischer with *Carlin* to disclose the "central database" to "receive listings" and "bids for items of sale" (as recited by claim 27) from the "plurality of sales interfaces sales interfaces" allegedly disclosed by *Carlin* would ***integrate*** the auction data of the multiple service providers and, as a result, frustrate the principle of operation of *Carlin*.

As such, Applicant respectfully submits that a person of ordinary skill in the art would not have a reason to combine these features because the combination thereof would frustrate the principle operation of *Carlin*. Therefore, Applicant respectfully requests that the rejection be withdrawn with regard to claims 27-29, 31-35, 38-40, 42-46, 49-70.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (408) 846-8871 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 1st day of February, 2010.

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